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LISA FREDRICKSON

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LISA FREDRICKSON

Plaintiff,

vs.

REGENTS OF UNIVERSITY OF  
CALIFORNIA, a governmental entity;  
BC LIFE AND HEALTH INSURANCE  
COMPANY, a corporation; DR.  
MICHELLE FAMULA, M.D., an  
individual; DR. CLAIRE POMEROY,  
M.D., an individual; MICHELE  
PEARSON, an individual; DENNIS  
SHIMEK, an individual; HOLLIS  
KULWIN, an individual; REX  
PERSCHBACHER, an individual;  
LARRY VANDERHOEF, an individual;  
ROBERT DYNES, an individual; and  
DOES 8 through 10, inclusive,

Defendants

CASE NO. C06-03335 JSW

STIPULATION AND PROPOSED ORDER  
TO FILE SECOND AMENDED COMPLAINT  
AND SET DATES FOR RULES 26  
DISCLOSURE AND PLAINTIFF'S  
RESPONSES TO OUTSTANDING  
DISCOVERY

Date Action Filed: May 19, 2006  
Trial Date: March 3, 2008

**STIPULATION**

Whereas, the parties to this litigation, by and through their attorneys of record, and the Early Neutral Evaluator, met by phone on May 10, 2007 and, as a result, agree that it is in the best interest of all parties to settle the pleadings in this case before conducting the Early Neutral Evaluation;

Whereas, the parties agree that that the Court's February 26, 2007, Order dismissed Plaintiff's claims for injunctive relief under Title IX, the Unruh Act and 42 U.S.C. § 1983 with leave to amend;

Whereas it is Plaintiff's position that the Court's February 26, 2007 Order contemplates that Plaintiff may have a claim for injunctive relief;

Whereas, the parties agree that until the pleadings are more settled, discovery cannot be effectively pursued; and

Whereas it is Defendants' position that Defendants cannot adequately prepare and serve Rule 26 disclosures until the pleadings are more settled.

Therefore, the parties, by and through their attorneys of record, stipulate and agree as follows:

- (1) Plaintiff will file and serve a second amended complaint on or before June 11, 2007. Plaintiff's Second Amended Complaint may include claims for injunctive relief. In her Second Amended Complaint, Plaintiff's will not plead claims for professional/medical negligence.
- (2) All Defendants retain their rights to oppose all claims plead in the Second Amended Complaint.
- (3) All discovery will be stayed until June 11, 2007.
- (4) Plaintiff's responses to currently-outstanding discovery must be served on or before June 29, 2007.
- (5) All Defendants named in the Second Amended Complaint and properly served, must serve their Rule 26 disclosures on or before June 29, 2007.

1 **IT IS SO STIPULATED.**

2 DATED: May 17, 2007

3 HOENNINGERLAW

4 By: \_\_\_\_\_/s/  
5 Jo Hoenninger  
6 Attorney for Plaintiff  
LISA FREDRICKSON

7 DATED: May 17, 2007

8 GORDON & REES LLP

9 By: \_\_\_\_\_/s/  
10 Mark S. Posard  
11 Attorneys for Defendants  
THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA AND MICHELLE FAMULA, M.D.

12 DATED: May 17, 2007

13 WELLPOINT LEGAL DEPARTMENT

14 By: \_\_\_\_\_/s/  
15 Ron Odom  
16 Attorney for Defendant  
B.C. HEALTH AND LIFE INSURANCE CO.

17 **ORDER**

18 **PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED.**

19  
20 DATED: May 17, 2007

21 By:   
22 HONORABLE JEFFREY S. WHITE  
23 United States District Court Judge  
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